

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SATISH RAMACHANDRAN,

Plaintiff,

v.

CITY OF LOS ALTOS, et al.,

Defendants.

Case No. 23-cv-02928-SVK

REDACTED

**FINAL ORDER ON DEFENDANT
CITY OF LOS ALTOS' MOTION FOR
SANCTIONS**

Re: Dkt. No. 57

On July 9, 2024, the Court granted Defendant City of Los Altos' motion for Rule 11 sanctions against Plaintiff Satish Ramachandran and imposed a \$10,000.00 penalty on Plaintiff payable to the Court, for reasons fully explained in that order. Dkt. 104. The Court gave Plaintiff an opportunity to file a statement, declaration, and evidence if he wanted the Court to consider his inability to pay the \$10,000.00 penalty. *Id.* at 16-17.

Plaintiff thereafter filed a statement, declaration, and evidence in response to the Court's July 9 order. Dkt. 105-107. On August 6, 2024, the Court issued an order to show cause ("OSC") that addressed Plaintiff's submission. Dkt. 108. The Court found that although Plaintiff had satisfactorily demonstrated that he had limited income, he had not offered similarly detailed evidence concerning his assets, particularly his equity in his real estate holdings. *Id.* at 2. The Court noted that in the absence of evidence offered by Plaintiff on this issue, it had consulted Zillow for information about the present estimated market value of two properties Plaintiff has used as his addresses in this case. *Id.* at 2-3. The Court's August 6 OSC required that by August 20, 2024, Plaintiff either pay the \$10,000.00 penalty to the Court or file a declaration and evidence regarding his inability to pay the \$10,000.00 penalty in light of his equity in his real estate holdings. *Id.* at 3.

On August 20, 2024, Plaintiff submitted a statement, declaration, and certain evidence

1 regarding his real estate holdings. Dkt. 114. The information submitted establishes to the Court's
 2 satisfaction that Plaintiff does not have an ownership interest in one of the two properties
 3 identified in the August 6 OSC: 820 Laverne Way, Los Altos, CA 94022. *See* Dkt. 114-1 ¶¶ 6,
 4 13-15. Plaintiff admits that he has an ownership interest in the second property identified in the
 5 August 6 OSC: 889 Santa Rita Avenue in Los Altos. *See id.* ¶¶ 18-19 and Exs. 8-9. Plaintiff
 6 states that he purchased the property with Sudha Iyer for \$435,000.00 in 1993. *Id.* ¶ 18. The
 7 Court noted in the OSC that Zillow identified the present estimated market value of that property
 8 at over \$3.3 million. Dkt. 108 at 3.

9 With regard to the property at 889 Santa Rita Avenue, Plaintiff submits evidence of:
 10 (1) [REDACTED], and (2) a report dated February 17, 2020 submitted by Plaintiff's
 11 purported expert¹ in other litigation opining that [REDACTED]
 12 [REDACTED] Dkt. 114-1 ¶¶ 47-48 and Exs. 10, 11, 12, 24.

13 As explained in both the Court's July 9 sanctions order and August 6 OSC, Plaintiff bears
 14 the burden of producing evidence of inability to pay a monetary sanction. *See* Dkt. 104 at 16;
 15 Dkt. 108 at 1; *see also Gaskell v. Wei*, 10 F.3d 626, 629 (9th Cir. 1993). Even if the Court fully
 16 credits Plaintiff's evidence regarding [REDACTED]
 17 [REDACTED], Plaintiff has not carried his burden of
 18 demonstrating that he is unable to pay a \$10,000.00 penalty to the Court, despite several
 19 opportunities to make such a showing. Even Plaintiff's "expert" opined more than four years ago
 20 that [REDACTED]

21 [REDACTED] Dkt. 114-2 at Ex. 24, PDF p. 87. [REDACTED]
 22 [REDACTED] *See* Dkt. 114-3 at Exs. 10-12.

23 Accordingly, the Court **ORDERS** that by **September 23, 2024**, Plaintiff must pay a
 24 \$10,000.00 penalty to the Court. Payment may be made at the Clerk's Office by check, money
 25 ///
 26 ///

27 _____
 28 ¹ Plaintiff did not submit a CV or other evidence regarding qualifications of the author of the report.

1 order, or credit card; or online at Pay.gov. Checks and money orders must be made out
2 to: **CLERK, U.S. DISTRICT COURT.**

3 **SO ORDERED.**

4 Dated: August 22, 2024

5
6 
7 SUSAN VAN KEULEN
8 United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Northern District of California